

Introduced by Senator Dunn

August 30, 2005

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XII thereof, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

SCA 18, as introduced, Dunn.

The California Constitution establishes the Public Utilities Commission, with jurisdiction over all public utilities, as defined. The California Constitution grants the commission certain general powers over all public utilities, subject to control by the Legislature, and authorizes the Legislature, unlimited by the other provisions of the Constitution, to confer additional authority and jurisdiction upon the commission that is cognate and germane to the regulation of public utilities.

This measure would include in the definition of public utilities, private corporations and persons that own, operate, control, or manage a line, plant, or system for the production, generation, transmission, or furnishing of gasoline, directly or indirectly to or for the public.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

- 1 *Resolved by the Senate, the Assembly concurring,* That the
- 2 Legislature of the State of California at its 2005-06 Regular
- 3 Session commencing on the sixth day of December 2004,
- 4 two-thirds of the membership of each house concurring, hereby
- 5 proposes to the people of the State of California, that the
- 6 Constitution of the State be amended as follows:

1 That Section 3 of Article XII thereof is amended to read:

2 SEC. 3. Private corporations and persons that own, operate,
3 control, or manage a line, plant, or system for the transportation
4 of people or property, the transmission of telephone and
5 telegraph messages, or the production, generation, transmission,
6 or furnishing of heat, light, water, power, *gasoline*, storage, or
7 wharfage directly or indirectly to or for the public, and common
8 carriers, are public utilities subject to control by the Legislature.
9 The Legislature may prescribe that additional classes of private
10 corporations or other persons are public utilities.

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